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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/942,905	08/31/2001	Osamu Imaichi	1021.40599X00	8131

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EXAMINER

LY, ANH

ART UNIT	PAPER NUMBER
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2172

DATE MAILED: 03/23/2004

4

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/942,905

Applicant(s)

IMAICHI ET AL.

Examiner

Anh Ly

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 31 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☒ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date #3.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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### DETAILED ACTION

1. This Office Action is response to Applicants' communication filed on 08/31/2001.
2. Claims 1-9 are pending in this application.

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).
5. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,638,314 issued to Meyerzon et al. (hereinafter Meyerzon).

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With respect to claim 1, Meyerzon teaches storing an associative search recording table recording the number of times xij of searching a document database based on a search result of a document database i (history map table is storing the history of prior search (search request history) and the time stamp recorded the most recent the document to be searched or retrieved: col. 5, lines 58-67 and col. 6, lines 1-2; col. 10, lines 18-50, and col. 16, lines 48-67 and col. 17, lines 1-10; also see fig. 2, item 250 and fig. 4).

Meyerzon teaches retrieving document databases over a network including document search server and search client as user, that is search engine received a search request from a client /user, and search request history where the number of search is stored such as a history map as shown in fig. 4. Meyerzon does not clearly teach the number of times of searching.

However, Meyerzon teaches the history of search for a specified or a particular of a user for a specified web site or document being recorded in the search request history retaining the number of search, most recent search to be processed (see col. 16, lines 48-67 and col. 17, lines 1-10 and see fig. 2, and fig. 4).

Therefore, It would have been obvious to a person of ordinary skill in the art at the time the invention was made to employ the teachings of Meyerzon the search request history as well as history map storing the document number associated prior search (col. 7, lines 58-67 and col. 6, lines 1-2) for being retrieved document that is set to the current document when the document have been retrieved since the last time, if it is first

time the document is retrieved advantageously reduces search and document retrieval time (col. 3, lines 28-62).

6. Claims 2-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,638,314 issued to Meyerzon et al. (hereinafter Meyerzon) in view of US Patent No. 6,539,386 issued to Athavale et al. (hereinafter Athavale).

With respect to claims 2-3, Meyerzon discloses a document search system as discussed in claim 1.

Meyerzon teaches retrieving document databases over a network including document search server and search client as user, that is search engine received a search request from a client /user, and search request history where the number of search is stored such as a history map as shown in fig. 4. Meyerzon does not explicitly teach changing a showing order of document databases to be searched by using said associative search recording table.

However, Athavale teaches changing order of databases or database servers over a network (col. 12, lines 50-67 and col. 13, lines 32-48).

Therefore, It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Meyerzon with the teachings of Athavale so as to have the way to changing the order of the searching target databases (Athavale - col. 13, lines 32-48) and the search request history as well as history map storing the document number associated prior search (col. 7, lines 58-67

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and col. 6, lines 1-2) for being retrieved document that is set to the current document when the document have been retrieved since the last time, if it is first time the document is retrieved advantageously reduces search and document retrieval time (Meyerzon - col. 3, lines 28-62).

7. Claims 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,638,314 issued to Meyerzon et al. (hereinafter Meyerzon) in view of US Patent No. 6,532,459 issued to Berson.

With respect to claim 4, Meyerzon discloses a document search system as discussed in claim 1.

Meyerzon teaches retrieving document databases over a network including document search server and search client as user, that is search engine received a search request from a client /user, and search request history where the number of search is stored such as a history map as shown in fig. 4. Meyerzon does not explicitly teach calculating a registration fee of each document database by using said associative search recording table.

However, Berson teaches the fee for the searching document or database to be computed (col. 11, lines 50-62).

Therefore, It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Meyerzon with the teachings of Berson so as to have the way to calculating the fee for searching registered

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document database over the Internet to be collected by the owner of the information sources (Berson - col. 11, lines 50-62) and the search request history as well as history map storing the document number associated prior search (col. 7, lines 58-67 and col. 6, lines 1-2) for being retrieved document that is set to the current document when the document have been retrieved since the last time, if it is first time the document is retrieved advantageously reduces search and document retrieval time (Meyerzon - col. 3, lines 28-62).

With respect to claim 5, Meyerzon teaches wherein a registration fee is calculated according to a sum of the number of times of being a search origin for a document search and the number of times of being a search target for a document search (col. 5, lines 58-67 and col. 6, lines 1-2; col. 10, lines 18-50, and col. 16, lines 48-67 and col. 17, lines 1-10; also see fig. 2, item 250 and fig. 4).

8. Claims 6, are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,638,314 issued to Meyerzon et al. (hereinafter Meyerzon) in view of US Patent No. 5,826,261 issued to Spencer.

With respect to claim 6, Meyerzon teaches storing an associative search recording table recording the number of times xij of searching a document database based on a search result of a document database i (history map table is storing the history of prior search (search request history) and the time stamp recorded the most recent the document to be searched or retrieved: col. 5, lines 58-67 and col. 6, lines 1-2;

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col. 10, lines 18-50, and col. 16, lines 48-67 and col. 17, lines 1-10; also see fig. 2, item 250 and fig. 4).

Meyerzon teaches retrieving document databases over a network including document search server and search client as user, that is search engine received a search request from a client /user, and search request history where the number of search is stored such as a history map as shown in fig. 4. Meyerzon does not clearly teach the number of times of searching, but Meyerzon teaches the history of search for a specified or a particular of a user for a specified web site or document being recorded in the search request history retaining the number of search, most recent search to be processed (see col. 16, lines 48-67 and col. 17, lines 1-10 and see fig. 2, and fig. 4). Meyerzon does not explicitly teach search query analyzing means for analyzing a search query from said search client, search query constructing, means for sending the search query analyzed by said search query analyzing means to the document database specified by the search client, and means for sending a search result of said specified document database to said search client.

However, Spencer teaches query analysis, that is, the user's query is sent from a client computer to each of the multiple document databases, the terms in the search query is weighted (col. 5, lines 1-46; also see col. col. 6, lines 42-67 and col. 7, lines 1-6); search result (col. 8, lines 30-41 and col. 15, lines 50-58) and query router is used to send or route the search query (col. 18, lines 30-62).

Therefore, It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Meyerzon with the teachings



of Spencer so as to have the way to analyzing, sending/routing the search result of the query of the user (Spencer - col. 5, lines 1-46 and col. 18, lines 30-62) and the search request history as well as history map storing the document number associated prior search (col. 7, lines 58-67 and col. 6, lines 1-2) for being retrieved document that is set to the current document when the document have been retrieved since the last time, if it is first time the document is retrieved advantageously reduces search and document retrieval time (Meyerzon - col. 3, lines 28-62).

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9. Claims 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,638,314 issued to Meyerzon et al. (hereinafter Meyerzon) in view of US Patent No. 5,826,261 issued to Spencer and further in view of US Patent No. 6,539,386 issued to Athavale et al. (hereinafter Athavale).

With respect to claims 7-8, Meyerzon in view of Spencer discloses a search server as discussed in claim 6.

Meyerzon teaches retrieving document databases over a network including document search server and search client as user, that is search engine received a search request from a client /user, and search request history where the number of search is stored such as a history map as shown in fig. 4. Myerzon does not teach analyzing and sending of search query. Spencer teaches analyzing and sending search query. In combination, Meyerzon and Spencer do not teach changing a showing order

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of document databases to be searched by using said associative search recording table.

However, Athavale teaches changing order of databases or database servers over a network (col. 12, lines 50-67 and col. 13, lines 32-48).

Therefore, It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Meyerzon in view of Spencer with the teachings of Athavale so as to have the way to changing the order of the searching target databases (Athavale - col. 13, lines 32-48) and the search request history as well as history map storing the document number associated prior search (col. 7, lines 58-67 and col. 6, lines 1-2) for being retrieved document that is set to the current document when the document have been retrieved since the last time, if it is first time the document is retrieved advantageously reduces search and document retrieval time (Meyerzon - col. 3, lines 28-62).

10. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,638,314 issued to Meyerzon et al. (hereinafter Meyerzon) in view of US Patent No. 5,826,261 issued to Spencer and further in view of US Patent No. 6,532,459 issued to Berson.

With respect to claim 9, Meyerzon in view of Spencer discloses a search server as discussed in claim 6.

Meyerzon teaches retrieving document databases over a network including document search server and search client as user, that is search engine received a search request from a client /user, and search request history where the number of search is stored such as a history map as shown in fig. 4. Myerzon does not teach analyzing and sending of search query. Spencer teaches analyzing and sending search query. In combination, Meyerzon and Spencer do not teach calculating a registration fee of each document database by using said associative search recording table.

However, Berson teaches the fee for the searching document or database to be computed (col. 11, lines 50-62).

Therefore, It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Meyerzon in view of Spencer with the teachings of Berson so as to have the way to calculating the fee for searching registered document database over the Internet to be collected by the owner of the information sources (Berson - col. 11, lines 50-62) and the search request history as well as history map storing the document number associated prior search (col. 7, lines 58-67 and col. 6, lines 1-2) for being retrieved document that is set to the current document when the document have been retrieved since the last time, if it is first time the document is retrieved advantageously reduces search and document retrieval time (Meyerzon - col. 3, lines 28-62).

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**Contact Information**

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh Ly whose telephone number is 703 306-4527 or via E-Mail: ANH.LY@USPTO.GOV. The examiner can normally be reached on 7:30 AM - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene, can be reached on 703 305-9790. The fax phone number for the organization where this application or proceeding is assigned is 703 746-7239.

Any response to this action should be mailed to:

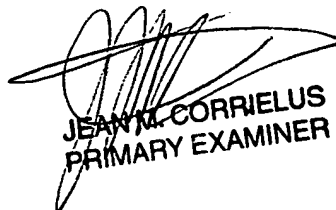
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or faxed to: Central Office (703) 872-9306 (Central Official Fax Number)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Fourth Floor (receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 308-6606 or 703 305-3900.

  
JEAN M. CORRIELUS  
PRIMARY EXAMINER

ALR  
MAR. 16<sup>th</sup>, 2004